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 United States Small Business Administration  
 in its capacity as Receiver for Alto Tech II, L.P.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

United States Small Business Administration in  
 its capacity as Receiver for Alto Tech II, L.P.,

Plaintiff,

vs.

Alto Tech Ventures, LLC, a Delaware limited  
 liability company; Alto Tech Management ,  
 LLC, a California limited liability company;  
 Gloria Chen Wahl, an individual; Walter T.G.  
 Lee, an individual and Thanos Triant, an  
 individual,

Defendant.

Case No. C07 4530 SC

**DECLARATION OF GREGORY C.  
 NUTI IN SUPPORT OF REQUEST FOR  
 ENTRY OF DEFAULT  
 (ALTO TECH VENTURES, LLC)**

I, Gregory C. Nuti, declare as follows:

1. I am a partner with the law firm Schnader Harrison Segal & Lewis LLP counsel  
 to the United States Small Business Administration in its capacity as Receiver for Alto Tech II,  
 LLP ("Receiver"). In such capacity, and except as otherwise indicated herein, I have personal  
 knowledge of the facts set forth below, and if called as a witness I could and would competently  
 testify to the matters set forth in this declaration.

2. The SBA is the duly appointed Receiver for Alto Tech pursuant to the terms of the Stipulation for Consent Order of Receivership ("Consent Order") filed June 21, 2006 issued by this Court in the action captioned *United States of America v. Alto Tech II, L.P.*, case number C06-3879 EMC ("Receivership Action").

3. The Receiver commenced the instant proceeding by filing its Complaint for: (1) Breach of Fiduciary Duty; (2) Negligence; (3) Breach of Partnership Agreement; and (4) Breach of Management Agreement on August 31, 2007 ("Complaint").

4. On October 15, 2007, defendant Alto Tech Ventures, LLC executed a Waiver of Summons pursuant to Federal Rule of Civil Procedure 4 ("Rule 4 Waiver"). A copy of the Rule Waiver was filed with this Court on October 16, 2007 along with a Certificate of Service Re Waiver of Service of Summons Pursuant to Rule 4 of Federal Rule of Civil Procedure. A true and correct copy of the Certificate of Service Re Waiver of Service of Summons Pursuant to Rule 4 of Federal Rule of Civil Procedure is attached as **Exhibit A**.

I declare under the laws of the United States of America and the State of California that the foregoing is true and correct to the best of my knowledge and belief. Executed this 27<sup>th</sup> day of November, 2007 at San Francisco, California.

/s/ Gregory C. Nuti  
Gregory C. Nuti